


Substance Use Testing Policy

Approved: 
Date: April 2014

I. Policy

It is the policy of Nebraska State Probation to conduct court-ordered substance use testing for clients with a history of negative consequences associated with substance use and those who are demonstrating behavior associated with the use of prohibited or illicit substances while under supervision.

II. Purpose

The purpose of substance use testing is to determine responsivity specific to criminogenic risk and need in order to implement appropriate interventions promoting pro-social behavior and community safety.

III. Reference

[Neb. Rev. Stat. § 43-253](#)

[Neb. Rev. Stat. § 29-901](#)

[Neb. Rev. Stat. § 43-290](#)

[Neb. Rev. Stat. § 43-2,108\(2\)](#)

[Neb. Rev. Stat. § 43-2, 108](#), Sections [43-2,108.01](#) to [43-2,108.05](#)

IV. Procedure

- A. All substance use testing will be in compliance with the court's Order.
- B. Documentation of Substance Use Testing will be entered into the Nebraska Probation Information Management System.
- C. In order to provide accountability, compliance, and deterrence from continued substance use, Failure-to-Report for substance use testing shall be managed in accordance with the individual's classification and identified risk factors.
- D. Confidentiality
 - 1. Each probation district shall conduct testing in such a way to ensure the confidential handling of information. This shall including the release of testing results to anyone outside of the court as prescribed by Neb. Rev. Stat. § 43-2,108, and Neb. Rev. Stat. § 29-2261 , Neb. Rev. Stat. § 43-2,108.01 to 43-2,108.05. Examples include:
 - a) Properly submitted open record request Nebraska Public Records Law Neb. Stat. 84-712.
 - b) All requests for drug testing results should be directed to Deputy Administrator of Administration and Operations

- E. Due to the inherent differences between adult and juvenile probationers, collection and testing of those populations shall account for these difference and be collected according to assessed level of risk and need, taking into account individual criminogenic factors.